



CPA 12972

## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

(INCLUDING FILING FEE AND/OR PETITION FOR  
EXTENSION OF TIME AND FEE)

Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

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MAY 31 2002  
TECHNOLOGY CENTER 2800

To: Assistant Commissioner for Patents Box CPA Washington, DC 20231	Attorney Docket No.	1046.1028D2	
	Express Mail Label No.		
First Named Inventor	Tetsuya NISHI et al.		
Application No.	09/631,355	Group Art Unit	2872
Filing Date	August 2, 2000	Examiner	R. Shafer
CPA Filing Date		Confirmation No.	9683
Title of Invention	POLARIZATION CONTROL OPTICAL SPACE SWITCH		

This is a request for a ☒ continuation or a ☐ divisional application under 37 CFR 1.53(d) (continued prosecution application (CPA)) of the above-identified, prior nonprovisional application.

### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 USC 154(a)(2).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

1. ☒ Enter the amendment filed concurrently herewith under 37 CFR 1.116 in the above-noted prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:  
\_\_\_\_\_
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. ☐ Information Disclosure Statement (IDS) is enclosed:
  - a. ☐ PTO-1449
  - b. ☐ Copies of IDS Citations

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05/30/2002 HDENESS1 00000077 09631355

01 FC:131  
02 FC:102

740.00 OP  
252.00 OP

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS	16	- 20 =	0	X \$ 18.00 =	\$ 0.00
INDEPENDENT CLAIMS	6	- 3 =	3	X \$ 84.00 =	252.00
MULTIPLE DEPENDENT CLAIMS (if applicable)				+ \$280.00 =	
				BASIC FEE	740.00
Since an Official Action set an original due date of April 29, 2002, petition is hereby made for an extension of time to cover the date this CPA is filed, for which the requisite fee is enclosed (1 month (\$110); 2 months (\$400); 3 months (\$920); 4 months (\$1,440); 5 months (\$1,960));					\$110.00
Total of above Calculations =					\$ 1102.00
Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).					
TOTAL FEES DUE =					\$ 1102.00

6. ☐ Small entity status:
- a. ☐ A Verified Statement Claiming Small Entity Status is enclosed.
- b. ☐ A Verified Statement Claiming Small Entity Status was previously filed and such status is still proper and desired.
- c. ☐ is no longer claimed.
7. ☐ Applicant requests suspension of action under 37 C.F.R. 1.103(b) for a period of months (not to exceed 3 months) and the fee under 37 C.F.R. 1.17(i) is enclosed.
8. ☐ This application is assigned of record to of\_ at Reel , Frame (for publication of assignee information under 37 CFR 1.215(b)).
9. ☐ Other:

#### 10. METHOD OF PAYMENT

- ☒ A check in the amount of \$ 1102.00 is enclosed.
- ☐ Charge "TOTAL FEES DUE" to Deposit Account No. 19-3935. (A duplicate copy of this form is enclosed.)
- ☐ No payment is enclosed and no charges to the Deposit Account 19-3935 are authorized at this time (unless specifically required to maintain pendency and/or to receive a filing date).

#### 11. GENERAL AUTHORIZATION

- ☒ The Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 CFR 1.16 (filing fees) or 37 CFR 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit hereof pursuant to 35 USC § 120 to maintain pendency hereof and of any such related application to: **Deposit Account No. 19-3935.**

#### 12. NEW CORRESPONDENCE ADDRESS



21171

PATENT TRADEMARK OFFICE

#### 13. SIGNATURE OF ATTORNEY OR AGENT REQUIRED

NAME	Matthew Q. Ammon	REGISTRATION NO.	50,346
SIGNATURE		DATE	5-29-2002